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EXAMINER

ABEL JALIL, NEVEEN

ART UNIT	PAPER NUMBER
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2175

DATE MAILED: 12/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/827,665

Applicant(s)

MESSLER, TIMOTHY J.

Examiner

Neveen Abel-Jalil

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

1. The amendment filed on September 29, 2003 has been received and entered.

Claim 2 is cancelled. Therefore claims 1, and 3-14 are now pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, and 3 -14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Huben et al. (U.S. Patent No. 5,878,408) and Bhaskaran et al. (U.S. Patent No. 6,157,915), and further in view of Bentley et al. (U.S. Patent No. 6,063,128).

As to claim 1, Van Huben et al. discloses a method of engineering project design (See column 4, lines 6-29) using a real-time interface (See column 4, lines 56-61) with a global computer network (See column 10, lines 1-16, wherein "global" reads on "anywhere in the world"), said method comprising:

indexing said database according to predetermined engineering search queries (See column 15, lines 14-67); providing a graphical user interface (GUI) allowing a user to (See column 23, lines 37-44):

(i) perform a categorized database inquiry for an engineering project (See column 15, lines 14-67, wherein "categorized database" reads on "library") by using a cascading drop-down menu process (See column 26, lines 45-63);

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(ii) input critical parameters regarding the specification and requirements for the engineering project (See column 23, lines 13-27, also see column 15, lines 3-12, wherein “critical parameters” reads on “entire set design components”); and

(iii) compile project information into a job folder checklist (See column 6, lines 32-51, wherein “job folder checklist” reads on “BOM”); and inserting the information into the job folder checklist (See column 6, lines 32-51, wherein “job folder checklist” reads on “BOM”, also see column 33, lines 1-11).

Van Huben et al. does not teach creating a database based on publicly accessible data located in www sites for approved engineering specific Universal Record Locator (URL) link; retrieval of URL links according to the database inquiry; accessing Web pages related to the retrieved URL links; performing iterative calculations based on specifications acquired from a Web page review; and displaying pertinent information of the accessed Web pages.

Bhaskaran et al. teaches creating a database (See column 5, lines 1-9, also see column 6, lines 40-45) based on publicly accessible data located in www sites (See column 2, lines 38-40) for approved engineering specific Universal Record Locator (URL) link (See column 7, lines 17-39, wherein “approved engineering” reads on “appropriate work order”); retrieval of URL links according to the database inquiry (See column 7, lines 28-38); accessing www Web pages related to the retrieved URL links (See column 8, lines 15-29, wherein “Web pages” reads on “respective URL’s of vendors and assemblers”, also see column 2, lines 38-42); performing iterative calculations based on specifications acquired from a Web page review (See column 18, lines 57-67, and column 19, lines 1-20, wherein “iterative” reads on “new iteration”, and wherein

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“calculations” reads on “pseudo-process”, and wherein “acceptable” reads on “goodness”); and displaying pertinent information of the accessed Web pages (See column 4, lines 64-67, and column 5, lines 1-12, wherein “pertinent information” reads on “process information necessary for decision making”, and wherein “Web Pages” reads on “documents”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Van Huben et al. to include creating a database based on publicly accessible data located in www sites for approved engineering specific Universal Record Locator (URL) link; retrieval of URL links according to the database inquiry; accessing Web pages related to the retrieved URL links; and displaying pertinent information of the accessed Web pages.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Van Huben et al. by the teaching of Bhaskaran et al. to include creating a database based on publicly accessible data located in www sites for approved engineering specific Universal Record Locator (URL) link; retrieval of URL links according to the database inquiry; accessing Web pages related to the retrieved URL links; and displaying pertinent information of the accessed Web pages because in today’s global economy the world wide web through web pages and URL provides accessibility across the global business providing for collaborations and reduction of business costs (See Bhaskaran et al. column 1, lines 40-44).

Van Huben et al. as modified still does not teach displaying of a plurality of engineering disciplines; listing of conventional engineering projects within each

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engineering discipline; and providing a design process template for each engineering discipline integrated into the GUI.

Bentley et al. discloses displaying of a plurality of engineering disciplines (See column 2, lines 60-67); listing of conventional engineering projects within each engineering discipline (See column 1, lines 43-60); and providing a design process template for each engineering discipline (See column 2, lines 60-67) integrated into the GUI (See column 11, lines 1-29, also see column 3, lines 52-62).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have further modified Van Huben et al. as modified to include listing of conventional engineering projects within each engineering discipline; and providing a design process template for each engineering discipline integrated into the GUI.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have further modified Van Huben et al. as modified by the teaching of Bentley et al. to include listing of conventional engineering projects within each engineering discipline; and providing a design process template for each engineering discipline integrated into the GUI because creating an engineering specific GUI provides for flexibility and extensibility and ease of use.

As to claim 3, Van Huben et al. as modified discloses wherein the design process template prompts a user to input the critical parameters for a selected engineering project (See column 23, lines 13-27, also see column 15, lines 3-12, wherein “critical parameters” reads on “entire set design components”).

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As to claim 4, Van Huben et al. as modified discloses wherein the design process template includes formulas for a selected engineering project (See column 50, lines 17-67, wherein “formulas” reads on “pseudo process calculates piece of data”).

As to claim 5, Van Huben et al. as modified discloses wherein the design process template includes a drop-down menu for a selected engineering project (See column 26, lines 45-63).

As to claim 6, Van Huben et al. as modified discloses wherein said iterative calculations are repeated to arrive at an acceptable final design (See column 18, lines 57-67, and column 19, lines 1-20, wherein “iterative” reads on “new iteration”, and wherein “calculations” reads on “pseudo-process”, and wherein “acceptable” reads on “goodness”, and see column 6, lines 32-51).

As to claim 7, Van Huben et al. as modified discloses wherein the iterative calculations (See column 18, lines 57-67, and column 19, lines 1-20, wherein “iterative” reads on “new iteration”, and wherein “calculations” reads on “pseudo-process”) are based on material specifications acquired from a Web page review (See Bhaskaran et al. column 5, lines 1-24, wherein “Web page review” reads on “limits access...role players”, also see Van Huben et al. column 27, lines 52-67, wherein “material specifications” reads on “BOM”).

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As to claim 8, Van Huben et al. as modified discloses wherein the iterative calculations (See column 18, lines 57-67, and column 19, lines 1-20, wherein “iterative” reads on “new iteration”, and wherein “calculations” reads on “pseudo-process”) are based on component specifications (See column 25, lines 9-20) acquired from a Web page review (See Bhaskaran et al. column 5, lines 1-24, wherein “Web page review” reads on “limits access...role players”, also see Van Huben et al. column 27, lines 52-67).

As to claim 9, Van Huben et al. as modified discloses wherein the iterative calculations are based on design tables (See column 18, lines 57-67, and column 19, lines 1-20, wherein “iterative” reads on “new iteration”, and wherein “calculations” reads on “pseudo-process”, and wherein “table” reads on “level”) acquired from a Web page review (See Bhaskaran et al. column 5, lines 1-24, wherein “Web page review” reads on “limits access...role players”, also see Van Huben et al. column 27, lines 52-67).

As to claim 10, Van Huben et al. as modified discloses including the step of displaying and printing of a flow diagram detailing the engineering project (See Bhaskaran et al. column 7, lines 1-7, wherein “flow diagram” reads on “work flow items”).

As to claim 11, Van Huben et al. as modified discloses further including the step of displaying and printing of selected components (See column 25, lines 9-20) selected during the Web page review (See Bhaskaran et al. column 5, lines 1-24, wherein “Web

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page review” reads on “limits access...role players”, also see Van Huben et al. column 27, lines 52-67).

As to claim 12, Van Huben et al. as modified discloses further including the step of retrieving regulatory data from a Web page review (See Bhaskaran et al. column, also see Van Huben et al. column 27, lines 52-67, also see Bhaskaran et al. column 5, lines 25-64, wherein “regulatory data” reads on “industry standards”).

As to claim 13, Van Huben et al. as modified discloses further including a step of selection regulatory data to conform to a specific geographical location.

Van Huben et al. as modified still does not teach further including a step of selection regulatory data to conform to a specific geographical location.

Bhaskaran et al. teaches further including a step of selection regulatory data to conform to a specific geographical location (See figure 4, shows “specific geographical location” represented by “Part number” heading which indicates that the party can be displayed under “geography” as a choice from the drop-down menu”, also see column 5, lines 25-64, wherein “regulatory data” reads on “industry standards”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Van Huben et al. to include further including a step of selection regulatory data to conform to a specific geographical location.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Van Huben et al. by the teaching of Bhaskaran et

al. to include further including a step of selection regulatory data to conform to a specific geographical location because providing accurate and timely workflow information creates business costs savings and reduces processing time.

As to claim 14, Van Huben et al. as modified discloses further the step of printing a report (See column 25, lines 9-20, also see column 27, lines 52-67) on the engineering project based on information in the job folder checklist (See column 6, lines 32-51, wherein "job folder checklist" reads on "BOM", also see column 33, lines 1-11, also see Bhaskaran et al. column 7, lines 52-67, and column 8, lines 1-4, wherein "checklist" reads on "approve plan").

Response to Arguments

4. Applicant's arguments filed September 29, 2003 have been fully considered but they are not persuasive.

Applicant's argument that "the combination of Van Huben and Bhaskaran does not teach or support the amended claim 1 limitation of the database is created based on publicly accessible data located in www sites and that performing iterative calculations is based on specifications acquired from a web page review" is respectfully acknowledged but is not deemed to be persuasive.

The Examiner respectfully points to the combination of all three references and also the rejection stated above. Van Huben et al. teaches in column 27, lines 50-67 the system being implemented and accessed via www web pages. Bhaskaran et al. column 5,

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lines 1-9, also see column 6, lines 40-45 teaches creating a database based on publicly accessible data located in www sites in column 2, lines 38-40, and the reference also teaches performing iterative calculations based on specifications acquired from a Web page review (See column 18, lines 57-67, and column 19, lines 1-20, wherein "iterative" reads on "new iteration", and wherein "calculations" reads on "pseudo-process", and wherein "acceptable" reads on "goodness"). Bentley et al. column 50, lines 49-65 also teach manufacturer web sites.

Applicant's argument that "Van Huben teaches away from the presently claimed invention by stating that unlike DILPs which require that the design components be under the control of a public library, this type of processing is done on data in Private Libraries and designer's work space" is respectfully considered but is not deemed to be persuasive.

First, the Examiner's response is that Van Huben clearly states the claimed limitations of independent claim 1 in the reference cited and whether Van Huben uses the technology in the same manner as the applicant or not is not the intention here but instead the fact that Van Huben teaches such method to exist in itself reads on the limitation of the claim. The Van Huben reference being held to be on its face indicative of means to accomplish DILPs on a private or publicly accessed workspace is a matter of connectivity and access privileges. Accessing and storing data in a local or a remote workspace is readily feasible with the basis of Van Huben's teachings.

Secondly, the Examiner respectfully directs the applicant to the fact that prior art must be considered in its entirety, including disclosures that teach away from the claims) and MPEP § 2143.01 (proposed modification cannot render the prior art unsatisfactory for

its intended purpose or change the principle of operation of a reference). In this case the prior art covers the combination of Van Huben, Bhaskaran et al. and Bentley et al.

Applicant's argument that "Bhaskaran et al. does not teach a method of engineering project design, creating a database based on publicly accessible data located in www sites for approved engineering specific Universal Record Locator (URL) links or performing iterative calculations based on specifications acquired from a Web page review" is fully acknowledged but is not deemed to be persuasive.

The Examiner respectfully points to the rejection above indicating the combined references of Van Huben, Bhaskaran et al. and Bentley et al. teach the limitation argued above as stated in Examiner's rejection to independent claim 1 above.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Van Huben is modified by the teachings of Bhaskaran et al. to teach publicly accessible data located in www sites for approved engineering specific Universal Record Locator (URL) link; retrieval of URL links according to the database inquiry; accessing Web pages related to the retrieved URL links; performing iterative calculations based on specifications acquired

from a Web page review; and displaying pertinent information of the accessed Web pages as explained above in independent claim 1, and Van Huben et al. is also introduced to teach a step of selection regulatory data to conform to a specific geographical location because in today's global economy the world wide web through web pages and URL provides accessibility across the global business providing for collaborations and reduction of business costs (See Bhaskaran et al. column 1, lines 40-44).

The Examiner is establishing motivation in obviousness in the knowledge generally available to one of ordinary skill in the art, to modify the invention of Van Huben et al. with the teachings of Bhaskaran et al. and further by the teachings of Bentley et al., as explained in the above office action.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Neveen Abel-Jalil whose telephone number is 703-305-8114. The examiner can normally be reached on 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Neveen Abel-Jalil
December 15, 2003

CHARLES RONES
EXAMINER

Charles Rones
CHARLES RONES
PRIMARY EXAMINER